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T-971 P.001/004 F-897

JAN 29 2007

# Merchant & Gould

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TO:

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	FROM: Karen A. Fitzsimmons  OUR REF: 14684.1US01  TELEPHONE: 612.371.5340
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Total pages, including cover letter: 4

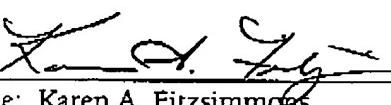
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Title of Document Transmitted: COMMUNICATION RE: APPELLANT'S BRIEF ON APPEAL

Applicant: NYLAND  
Serial No.: 10/848,829  
Filed: MAY 19, 2004  
Group Art Unit: 3643  
Our Ref. No. 14684.1US01  
Confirmation No. 4775

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Reg. No.: 50,470

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S/N 10/848,829

JAN 29 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	NYLAND	Examiner:	K. ROWAN
Serial No.:	10/848,829	Group Art Unit:	3643
Filed:	MAY 19, 2004	Docket No.:	14684,1US01
Title:	ARM SUPPORT FOR USE WITH A FISHING ROD		

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on January 29, 2007.

By: *Carla J. Catalano*  
Name: Carla J. Catalano

COMMUNICATION RE: APPELLANT'S BRIEF ON APPEAL

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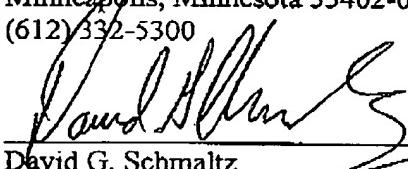
Sir:

This paper is presented in reply to the Communication dated January 23, 2007. In particular, Applicants have herewith submitted a concise explanation of dependent claims 13 and 35, as requested by the Examiner. Pursuant to MPEP 1205.03(B), only a summary of the claimed subject matter (Section V) is provided.

The Examiner is invited to contact Applicants' below-listed representative if any questions or concerns should arise.

Respectfully submitted,

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V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Amended

Independent claim 10 concerns an arm support device (20, FIG. 1) for use with an elongated item having a handle. The device (20) includes a coupler (32) that couples to the handle of the elongated item, a forearm receiving member (28) positioned above the coupler (32), and a pivot member (34) that connects the forearm receiving member (28) to the coupler (32). (Specification page 2, lines 20-24; and FIG. 1.) The forearm receiving member (28) defines a channel (50) elongated along a length (L, FIG. 2) that extends between open front and rear ends (54, 56) of the member. (Specification page 3, lines 18-23; and FIGS. 1 and 2.) The pivot member (34) defines a pivot axis (72, FIG. 2) that extends generally in an upward/downward direction and is located adjacent the front end (54) of the forearm receiving member (28). The forearm receiving member (28) is pivotally moveable about the pivot axis (72). (Specification page 4, lines 9-20.) The length (L, FIG. 2) of the forearm receiving member (28) extends generally radially outwardly from the pivot axis (72). (FIGS. 1-3.)

Dependent claim 13 concerns the arm support device (20) of independent claim 10 wherein the forearm receiving member (28) inclines ( $\theta$ , FIG. 3) relative to the coupler (32) as the arm cradle (28; i.e., forearm receiving member (antecedent correction needed)) extends from the front end (54) to the back end (56; i.e., rear end (antecedent correction needed)). (Specification page 5-6, lines 24-5.)

Independent claim 23 concerns an arm support device (20, FIG. 1) for use with an elongated item having a handle. The device includes a handle coupler (32) defining a pivot shaft opening (150, FIG. 4), an arm cradle (28, FIG. 1) having a base portion (50), and a pivot pin (34) positioned at the front end (54, FIG. 2) of the base portion (50) of the arm cradle (28). (Specification page 2, lines 20-24, page 5 lines 12-17, and FIGS. 1-4.) The arm cradle (28) includes opposing left and right side walls (58, 60, FIG. 2) that define an upwardly facing channel having a width (W) and a length (L). The width (W)

of the channel is shorter than the length (L) of the channel. (Specification page 3, lines 20-21 and 26-27, and FIG. 2.) The pivot pin (34) includes a pivot shaft portion (70) defining a pivot axis (72) about which the arm cradle (28) pivots. The pivot shaft portion (70) is pivotally received within the pivot shaft opening (150) of the coupler (32). The pivot shaft portion (70) extends downwardly relative to the arm cradle (28) such that the pivot axis (72) extends generally in an upward/downward direction. (Specification page 4, lines 9-14, and FIG. 3.) The length (L, FIG. 2) of the channel of the arm cradle (28) extends generally radially outwardly from the pivot axis (72). (FIGS. 1-3.)

Dependent claim 35 concerns an embodiment of the arm support device of independent claim 23 (e.g., 220, FIG. 5) wherein the pivot pin (232) includes an upper end portion (located at 232 in FIGS. 5 and 6) positioned at the bottom base portion (250) of the arm cradle (228) and a lower end portion (located at 270 in FIG. 6) defining the pivot shaft portion (270) of the pivot pin. (Specification page 6, lines 12-19.) The upper end portion (located at 232 in FIGS. 5 and 6) of the pivot pin (232) is aligned at an obtuse angle (see FIG. 5) relative to the lower end portion (located at 270 in FIG. 6) of the pivot pin.